

**Draft Meeting Notes
LCR MSCP Steering Committee
October 28, 2020**

Attending Via Video Conference Call

Greg Adams	David Alba	Maria Alonso
Bert Bell	Dee Bradshaw	Doug Bonamici
Linda Carbone	JR Echard	Robert Gonzalez
Jess Gwinn	Vineetha Kartha	Eric Hill
Michael Hulin	Matt Jeppson	Jamie Kelley
Jimmy Knowles	Bill Lamb	Renee Latu
Victor Lujan	Lisa Luptowitz	Kara Mathews
Craig McGinness	Richard Meyers	Terry Murphy
Jessica Neuwerth	Wade Noble	Sara Price
Shana Rapport	Lisa Rivera	Peggy Roefer
Carrie Ronning	Seth Shanahan	Stevie Sharp
Travis Sizemore	Catherine Stites	Jim Stolberg
Linda Sullivan	John Swett	Ruth Valencia
Laura Vecerina	David Vigil	

ADMINISTRATIVE MATTERS

Introductions

The meeting was convened at 9:30 a.m. by John Swett. There were self-introductions of all attending. Seth Shanahan chaired the meeting. It was determined that a quorum was present.

Review of Agenda

The agenda was reviewed and approved. (Moved by Ruth Valencia, seconded by Dee Bradshaw, and adopted by consensus).

Public Comments

No public comments were offered.

Approve June 24, 2020 Meeting Notes

The June 24, 2020 meeting notes were approved. (Moved by Bill Lamb, seconded by Jessica Neuwerth, and adopted by consensus).

FISH AUGMENTATION PLAN

Jim Stolberg provided an overview of the Native Fish Augmentation Plan 2021 – 2025. He reviewed the Fish Augmentation goals for the program and identified the fish rearing facilities that Reclamation provides support to for the augmentation program. He noted that 227,145 razorback suckers and 114,493 bonytail have been stocked in the lower Colorado River through FY20. He then reviewed changes that will be occurring at the fish rearing facilities and identified the fish augmentation goals for the 2021 – 2025 period (see power point presentation for additional information).

A question was asked whether stocking at 12 inches vs. 10 inches improved fish survival. Jim noted that there had been a number of recontacts for razorback sucker that had been stocked in the 400 – 450 mm size range. He noted that there is currently no information available on bonytail survival to determine if they survive when stocked at a larger size.

Another question was asked about the total number of fish that are expected to be stocked for the program. John Swett noted that the conservation measure for fish augmentation was written as the level of effort required to raise and stock 660,000 razorback sucker and 620,000 bonytail subadults. He noted that the numbers are a goal and that the conservation measure focused on the level of effort to stock that size.

John said that through the adaptive management process, Reclamation is looking at ways to increase survivorship. Increase fish size at stocking may not affect bonytail, but it does razorback sucker. John noted that it takes longer and costs more to grow bigger fish. John noted that if stocking bigger fish provides more conservation, then Reclamation would begin discussions with the Fish and Wildlife Service (FWS) to adjust the augmentation goals downward.

John indicated that Reclamation is currently looking at the razorback sucker data that has been collected and expects to begin discussions with the FWS this year. A review will also be done to determine if there are conservation actions that would be more beneficial for bonytail. He noted that any proposed changes to the conservation measures would be brought to the Steering Committee for approval.

John reviewed Resolution 21-001 which acknowledges the Native Fish Augmentation Plan 2021 – 2025 as final.

Resolution 21-001 “Native Fish Augmentation Plan 2021 – 2025” (Moved by Wade Noble, seconded by Jamie Kelley, and adopted by consensus).

WORK PLAN AND BUDGET

John noted that Reclamation develops a draft Implementation Report, Work Plan and Budget, and Accomplishment Report (Work Plan) every year. The draft Work Plan is provided to the

Steering Committee for comment at the April Steering Committee meeting, and then it is approved by the Steering Committee at the June Steering Committee meeting. The FWS then reviews the Work Plan and sends Reclamation a concurrence letter saying that it meets the requirements of the permit and accomplishes the conservation measures in the Habitat Conservation Plan. On September 25, 2020, Reclamation received concurrence from the FWS for the Final Implementation Report, Fiscal Year 2021 Work plan and Budget, Fiscal Year 2019 Accomplishment Report (FY21 Work Plan).

John reviewed the program funding requirements for FY2022. He noted that the total required funding amount was \$30,332,676, with Reclamation providing 50% of the funding and the nonfederal parties providing the other 50%. Funding required from the Arizona parties is \$4,590,777.34, the Nevada parties \$3,391,988.08, and the California parties \$7,183,572.

John noted that the FY21 Work Plan proposed budget is \$26,485,652. This includes contributions to the state's Remedial Measure Funds of \$1,208,328. He noted that Reclamation is not planning on contributing any funding into the land and water fund this year. John noted that the approved budget is less than the required funding due to limits of existing construction capability. John noted that the balance of the funding will be held in reserve by Reclamation to be used in future years to complete habitat requirements, especially at conservation areas.

John noted that San Diego County Water Authority will be using their funding credits in FY2021 for their share of the costs and that FY2022, is the last year that they will have funding credits available.

John noted that Reclamation is on continuing resolution until December 11, 2020. He noted that an approved budget or another continuing resolution will be needed by then in order to prevent another government shutdown.

PROCESS/PROGRAM UPDATES

2019 Take Coverage:

Seth Shanahan noted that the Steering Committee approved the FY21 Work Plan at the June Steering Committee meeting. Included in the FY21 Work Plan was Attachment B which provided a description of take that occurred in FY19. Seth noted that Attachment B included a list of actions that contributed to the reduction in flow in Reach 2 in 2019. This year, the reduction in flow in Reach 2 was shown as a range, with the higher end of the range being higher than the LCR MSCP coverage for that reach. At the June meeting, the Steering Committee approved the formation of a small ad hoc group to review the reductions in flow in Reach 2 and provide context and clarification around the analysis.

Seth noted that the ad hoc group met during the summer and developed *Supporting Materials for Attachment B in the Lower Colorado River Multi-Species Conservation Program, Final Implementation Report, Fiscal Year 2021 Work plan and Budget, Fiscal Year 2019 Accomplishment Report* (White Paper), which describes in more detail the actions that resulted in

reduction in flow Reach 2. Seth noted in Table 6: Total Reduction In Flow, Hoover Dam – Davis Dam Reach 2, Based on Final Updates and Revisions for Creation of ICS, System Conservation Water, and Other Water, an adjustment was made. In the original reduction in flow analysis, creation of CAWCD protection volume was higher than what CAWCD had estimated. This was due to increased precipitation at the end of the calendar year which resulted in significant additional unused Arizona apportionment inadvertently becoming available to CAWCD. However, due to the timing, CAWCD did not have time to adjust its year-end operating schedule or amend its water order to increase its diversions. This adjustment results in the total reduction in flow in Reach 2 being below the LCR MSCP coverage amount.

Seth said that the small group also focused on ways to improve processes to ensure take is not exceeded in the future. It was agreed that reductions in flow will be discussed and tracked through regularly occurring meetings. Tracking summaries will also be shared with the FWS at least twice a year in meetings to be scheduled during December and May. In addition, collaboration with the FWS on the need for additional long-term endangered species act compliance and development of a process for seeking and obtaining additional coverage should continue.

Update Voting List:

John noted that every year, Reclamation updates the Steering Committee voting list to identify the primary and alternate voting representatives for each of the organizations on the Steering Committee. This year Ducks Unlimited, who have been a member since the beginning of the program, requested that they be removed. Ducks Unlimited stated that they had not been working in the program area for quite a while and didn't see doing so in the foreseeable future. John noted that this is the first time that we have had someone ask to be removed from Steering Committee membership. John presented Resolution 21-002, which acknowledges that Ducks Unlimited is no longer a member of the LCR MSCP Steering Committee

Resolution 21-002 “Steering Committee Membership – Ducks Unlimited” (Moved by Jessica Neuwerth, seconded by Vineetha Kartha, and approved by consensus).

GENERAL

Yellow-billed cuckoo status:

John noted that the yellow-billed cuckoo was included as a covered species in the Habitat Conservation Plan. It was a candidate species for listing at the time, but was not listed as threatened or endangered by the FWS. In 2014, the FWS listed the yellow-billed cuckoo as endangered. Critical habitat for the yellow-billed cuckoo was proposed in 2014 and revised critical habitat was proposed in 2020. In 2017, a petition was sent to the FWS to delist the western distinct population segment. FWS agreed to a review. On September 16, 2020 the FWS published in the Federal Register that the petition to delist was not warranted.

A question was asked about the new proposed critical habitat. John noted that the yellow-billed cuckoo was not the first species where critical habitat had been proposed on the lower Colorado River. He noted that the FWS can exclude areas from critical habitat designation if there is a program in place which provides conservation to the species. When critical habitat for the southwest willow flycatcher was proposed, the LCR MSCP program area was excluded. For the yellow-billed cuckoo, Reclamation sent a letter to FWS requesting that it be excluded from the LCR MSCP program area.

LCR MSCP Program Documents Volume IV:

Laura Vecerina noted that LCR MSCP Program Document Volume IV had been posted to the website. Volume IV contains all of the minor modifications that have been made to the program as well as the amendments for the addition of the northern Mexican gartersnake.

STEERING COMMITTEE SCHEDULE

John noted the January CRAB and CRTR meetings are not going to be held this year. He said that anyone who had been planning on presenting could send their presentations to Reclamation for posting to the LCR MSCP website.

SUMMARY AND ACTION ITEMS

Seth Shanahan reviewed actions by the Steering Committee noting that the meeting agenda and previous meeting notes were approved along with Resolution 21-001 and Resolution 21-002.

ADJOURN

The conference call adjourned at 11:20 am